

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

IN RE TELESCOPES ANTITRUST  
LITIGATION

**DISCOVERY MANAGEMENT ORDER  
AND REQUEST FOR VIEWS RE  
APPOINTMENT OF SPECIAL  
MASTER**

Case No. 20-cv-03639-EJD (VKD)

Case No. 20-cv-03642-EJD (VKD)

Further to the Court's discussion with the parties during the hearing on November 8, 2022, the Court orders as follows:

1. The parties shall confer and agree on a regular day and time for a weekly conference regarding discovery matters, to continue as long as discovery disputes remain outstanding. The parties should also discuss the expected duration of such conferences and a procedure for ensuring that the discussion time is allocated fairly between opposing sides. Such a procedure should ensure that the time available is not unfairly consumed by one side addressing its interests, leaving insufficient time to address the other side's interests. The Court encourages the parties to document their agreement on how to proceed in the form of a stipulation to avoid unnecessary disputes going forward.

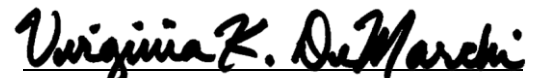
2. In the future, if a discovery dispute concerns both DPPs and IPPs on one side and Defendants on the other, any discovery dispute submission the parties make must seek to avoid duplication of argument by Plaintiffs, and Plaintiffs' *side* should limit its portion of the argument

1 to a total of 1500 words.<sup>1</sup> However, if DPPs or IPPs need to make unique arguments that are not  
 2 shared by all Plaintiffs, they may do so even if those unique arguments would put the Plaintiffs'  
 3 side over the 1500-word limit. However, in that case, Defendants shall have an argument word  
 4 limit that matches the total number of words Plaintiffs have used in their portion of the argument.

5 3. Given the number and frequency of discovery disputes that the parties anticipate will  
 6 require expeditious resolution, the Court directs the parties to confer and to jointly advise the  
 7 Court of their respective positions regarding whether a special master should be appointed for  
 8 purposes of resolving some or all of the pending or anticipated discovery disputes. *See* Fed. R.  
 9 Civ. P. 53. The parties shall jointly advise the Court of their views on this question no later than  
 10 **November 21, 2022.**

11 **IT IS SO ORDERED.**

12 Dated: November 9, 2022

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 15 VIRGINIA K. DEMARCHI  
 16 United States Magistrate Judge  
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28 <sup>1</sup> *See* section 4 of Judge DeMarchi's Standing Orders for Civil Cases, available at:  
<https://cand.uscourts.gov/wp-content/uploads/judges/demarchi-vkd/>